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Attorney for defendant,
ARMANDO JUSTO

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
)
v.)
)
ALBERT PAUL ALMAREZ and)
ARMANDO JUSTO,)
)
Defendants.)

No. CRS 05-0112 FCD

STIPULATION AND ORDER
CONCERNING PRE-PLEA
PRESENTENCE INVESTIGATION
REPORT

Status Conf. Date: July 25, 2005
Court: Hon. Frank C. Damrell

Defendants ALBERT PAUL ALMAREZ, ARMANDO JUSTO, and the United States, through their undersigned counsel, hereby agree and request that the Court order that a pre-plea presentence investigation report be prepared by the United States Probation Department for both defendants.

The reasons for the request are that the proposed disposition in this matter involves both pleas to firearm and related offenses (transportation of explosives), as well as drug offenses, and guidance from the probation department concerning application of the sentencing guidelines in these circumstances is needed to assist in the resolution of the case. These issues, and uncertainty concerning both defendants' criminal history, will likely be resolved through preparation of a pre-plea report.

In light of the foregoing, counsel jointly request that the court order the probation department to prepare a full pre-plea presentence report for both defendants, and that the probation department distribute a copy of the draft report to counsel for defendants and the

1 government, but that no report be forwarded to the Court.

2 Respectfully submitted.

3 DATED: June 14, 2005

/s/ Tim Warriner
Attorney for Defendant,
ARMANDO JUSTO

6 DATED: June 14, 2005

/s/ Matthew Bockman,
Assistant Federal Defender,
For Defendant, ALBERT
ALMAREZ

9 DATED: June 14, 2005

/s/ Richard J. Bender,
Assistant United States Attorney

11 ORDER

12 GOOD CAUSE APPEARING, the probation department is hereby ordered to prepare a
13 pre-plea presentence report for both defendants, and to distribute a copy of the draft report to all
14 counsel but not to the court.

16 DATED: June 16, 2005

/s/ Frank C. Damrell Jr.
UNITED STATES DISTRICT COURT JUDGE